GUNDERSON, PALMER, GOODSELL & NELSON, LLP

ATTORNEYS AT LAW

J. CRISMAN PALMER G. VERNE, GOODSELI, JAMES S. NELSON DANIEL E. ASHMORE TERENCE R. QUINN DONALD P. KNUDSEN PATRICK G. GOETZINGER TALBOT J. WIECZOREK MARK J. CONNOT JENNIFER K. TRUCANO DAVID E. LUST ASSURANT BUILDING
440 MT. RUSHMORE ROAD
POST OFFICE BOX 8045
RAPID CITY, SOUTH DAKOTA 57709-8045

TELEPHONE (605) 342-1078 • FAX (605) 342-0480

www.gundersonpalmer.com

ATTORNEYS LICENSED TO PRACTICE IN SOUTH DAKOTA, NORTH DAKOTA, IOWA, NEBRASKA COLORADO, MONTANA, WYOMING & MINNESOTA THOMAS E. SIMMONS TERRI LEE WILLIAMS PAMELA SNYDER-VARNS SARA FRANKENSTEIN AMY K. KOENIG JASON M. SMILEY SHANE C. PENFIELD JONATHAN M. OOSTRA MATTHEW E. NAASZ

WYNN A. GUNDERSON Of Counsel

March 24, 2008

E FILING

Patty Van Gerpen, Executive Director South Dakota Public Utilities Commission Capitol Building, 1st Floor 500 East Capitol Avenue Pierre SD 57501-5070

RE: Petition of **Brookings/Swiftel** for Suspension of Modification of Section 251(b)(2) of the Communications Act of 1934, as amended TC08-017

Dear Ms. Van Gerpen:

Enclosed for filing please find the Sprint's Response to Swiftel's Opposition to Sprint's Intervention in the above-entitled matter. By copy of same, all parties have been served electronically.

If you have any questions, please call me.

Sincerely,

Falbot J. Wieczorek

TJW:klw Enclosure

c: Service list via e-mail Clients

OF THE STATE OF SOUTH DAKOTA

In the Matter of the Petition of Brookings)	
Municipal Utilities D/B/A Swiftel)	DOCKET TC 08-017
Communications for Suspension or)	
Modification of Section 251(b)(2) of the)	
Communications Act of 1934,)	
as amended)	

SPRINT'S RESPONSE TO SWIFTEL'S OPPOSITION TO SPRINT'S INTERVENTION

Brookings Municipal Utilities d/b/a Swiftel Communications (hereinafter "Swiftel") filed a Suspension proceeding on February 8, 2008. One of the obligations sought to be suspended was Swiftel's obligation to provide local number portability (LNP) to interconnected voice over internet protocol (VoIP) providers. Because Sprint Communications Company, LP (hereinafter "Sprint") has pending various matters in front of the Commission, specifically a request to provide competitive local exchange services in the Swiftel service area (TC06-178) and a petition for arbitration with Swiftel (TC06-176) and, Sprint's partner in the joint provisioning of service using a fixed interconnection VoIP component, Mediacom, has pending in front of this Commission a request to provide competitive local exchange services in Swiftel's area (TC06-188), Sprint sought intervention.

Swiftel has now filed an Opposition to Sprint's intervention in this proceeding, claiming that while Sprint will be using a fixed interconnected VoIP component to provide service because Sprint is a telecommunications carrier, this proceeding does not somehow impact it.

Sprint disagrees with this position as set forth by Swiftel. Clearly, Swiftel's petition for suspension or modification seeks to modify or suspend Swiftel's obligations to interconnected

VoIP services. Such an outcome would directly impact Sprint's ability to offer the competitive services it seeks to offer pursuant to the business model that Sprint has utilized in multiple jurisdictions.

WHEREFORE, print's motion to intervene must be granted under A.R.S.D. 20:10:01:15.05.

Dated this 44 day of March, 2008.

ATTORNEYS FOR SPRINT COMMUNICATIONS COMPANY, LP

Talbot J. Wieczoreko Gunderson Palmer Goodsell & Nelson, LLP PO Box 8045 Rapid City SD 57709

605-342-1078 Fax: 605-342-0480

CERTIFICATE OF SERVICE

The undersigned certifies that on this 24th day of March 2008, a copy of Sprint's Response to Swiftel's Opposition to Sprint's Intervention was served electronically and by first-class mail to:

Rolayne.wiest@state.sd.us

Rolayne Wiest Staff Attorney SDPUC 500 East Capitol Pierre SD 57501

harlan.best@state.sd.us

Mr. Harlan Best Staff Analyst SDPUC 500 East Capitol Pierre SD 57501

Richcoit@sdtaonline.com

Richard D. Coit Attorney at Law

South Dakota Independent Telephone Coalition

P.O. Box 57

Pierre, South Dakota 57501

jadkins@swiftel.net

James Adkins

Swiftel Communications

PO Box 588

Brookings, SD 57006

Linda.godfrey@verizonwireless.com

Linda Godfrey Verizon 2785 Mitchell Drive MS 7-1

Walnut Creek CA 94598

MR PHILIP SCHENKENBERG

ATTORNEY AT LAW BRIGGS AND MORGAN P.A. 80 SOUTH EIGHTH STREET

2200 IDS CENTER

MINNEAPOLIS MN 55402 pschenkenberg@briggs.com

rjh1@brookings.net Richard Helsper Attorney at Law

415 8th Street South Brookings, SD 57006

MR BEN H DICKENS JR

MS MARY J SISAK

ATTORNEY AT LAW

BLOOSTON MORDKOFSKY DICKENS

DUFFY & PENDERGAST

2120 L STREET NW SUITE 300

WASHINGTON DC 20037

bhd@bloostonlaw.com

mjs@bloostonlaw.com

dag@magt.com

Mr. David A. Gerdes

MAY ADAM GERDES & THOMPSON

LLP

PO Box 160

Pierre, SD 57501-0160

Stephen.b.rowell@alltel.com

Stephen Rowell

Alltel

PO Box 2177

Little Rock, AR 72202

MR. DENNIS DUNCAN

ATTORNEY AT LAW

ZIMMER DUNCAN AND COLE

PO BOX 550

PARKER SD 57053

dlduncan@zdclaw.com

MR BRETT M KOENECKE

ATTORNEY AT LAW

MAY ADAM GERDES & THOMPSON

LLP

PO BOX 160

PIERRE SD 57501-0160

koenecke@magt.com

Talbot J. Wieczorek